

IN THE UNITED STATES BANKRUPTCY COURT  
MIDDLE DISTRICT OF PENNSYLVANIA

In Re:		:	Bankruptcy No. 5:25-bk-00376
MARTIN BORST		:	
	:	:	Chapter 13
		:	
<i>Debtor</i>		:	Related to Document No. 1
		:	
		:	

**AMENDED MOTION TO IMPOSE AUTOMATIC STAY**

Debtor, by and through undersigned counsel, pursuant to 11 U.S.C. § 362(a) and 11 U.S.C. § 105, hereby files this *Amended Motion to Impose Automatic Stay*. In support thereof, Debtor states as follows:

1. Debtor filed this Chapter 13 bankruptcy petition on February 10, 2025.
2. On February 10, 2025, Debtor filed Bankruptcy Case No. ("Prior Case"), in the United States Bankruptcy Court, Middle District of Pennsylvania, Harrisburg Division, under Chapter 13. The Prior Case was subsequently dismissed on December 19, 2024.
3. The Debtor had a prior bankruptcy case in the preceding one-year period. Bankruptcy case number 5:24-bk-01589-MJC.
4. The Debtor's case was dismissed for failure to file the Certificate of No Pay Advices which was not filed due to clerical error.
5. With respect to first-time repeat filers, there is no specific grant of authority to reimpose the stay once it has lapsed under § 362(c)(3)(A).
6. Although there may be a presumption that this case was filed in bad faith, the Debtor has filed this Motion in good faith in an attempt to keep his home because all requirements were met with this filing prior to the Motion being filed.

9. That there were good and reasonable explanations for the dismissal of the last prior case.
10. Debtor's prior case was dismissed due to clerical error and failure to file the Certificate of No Pay Advices.
11. Debtor has filed all required Certificates of Credit Counseling, Schedules, Statements and Chapter 13 Plan in this case.
12. Due to the foreclosure sale scheduled for February 26, 2025, if the stay is not continued, the Debtor will suffer irreparable harm.

**WHEREFORE**, the Debtor requests this Honorable Court to schedule a hearing on the Motion to Impose the Automatic Stay and/or enter an Order Imposing the Automatic stay and for any other relief deems just and proper.

**DEBTOR'S VERIFICATION**

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Date: February 13, 2025

GINSBURG LAW GROUP, P.C.

/s/Amy Lynn Bennecoff Ginsburg  
Amy Lynn Bennecoff Ginsburg  
Ginsburg Law Group, P.C.  
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**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on or before February 13, 2025, a true and correct copy of the foregoing was furnished via electronic or first-class mail to the parties listed on the attached mailing matrix.

GINSBURG LAW GROUP, P.C.

/s/Amy Lynn Bennecoff Ginsburg

Amy Lynn Bennecoff Ginsburg

Ginsburg Law Group, P.C.

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Label Matrix for local noticing  
0314-5  
Case 5:25-bk-00376-MJC  
Middle District of Pennsylvania  
Wilkes-Barre  
Tue Feb 11 09:42:59 EST 2025

U.S. Bankruptcy Court  
Max Rosenn U.S. Courthouse  
197 South Main Street  
Wilkes-Barre, PA 18701-1500

American Credit Acceptance  
961 E Main St  
Spartanburg, SC 29302-2149

Comenity Bank/Dental First Financing  
PO Box 182120  
Columbus, OH 43218-2120

Consumer Portfolio Services  
16355 Lagoon Canyon Rd  
Irvine, CA 92618-3801

Corporate America Credit Union  
970 Oaklawn Ave #3  
Elmhurst, IL 60126-1059

DirectTV, LLC  
PO Box 5072  
Carol Stream, IL 60197-5072

DirectTV, LLC  
c/o American InfoSource  
4515 N Santa Fe Avenue  
Oklahoma City, OK 73118-7901

(p)LENDMARK FINANCIAL SERVICES  
2118 USHER ST  
COVINGTON GA 30014-2434

Milstead & Associates, LLC  
1 E. Stow Road  
Marlton, NJ 08053-3118

Synchrony Bank/Lowes  
PO Box 981400  
El Paso, TX 79998-1400

The Bank of Missouri  
916 North Kings Highway  
Perryville, MO 63775-1204

United States Trustee  
US Courthouse  
1501 N. 6th St  
Harrisburg, PA 17102-1104

Wilmington Savings Fund Society, FSB  
c/o Select Portfolio Servicing, Inc.  
3217 S. Decker Lake Drive  
Salt Lake City, UT 84119-3284

Amy Lynn Bennecoff Ginsburg  
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(p)JACK N ZAHAROPOULOS  
ATTN CHAPTER 13 TRUSTEE  
8125 ADAMS DRIVE SUITE A  
HUMMELSTOWN PA 17036-8625

Martin D. Borst  
52 Robin Circle  
Wysox, PA 18854-7966

The preferred mailing address (p) above has been substituted for the following entity/entities as so specified  
by said entity/entities in a Notice of Address filed pursuant to 11 U.S.C. 342(f) and Fed.R.Bank.P. 2002 (g)(4).

Lendmark  
P.O. Box 80845  
Conyers, GA 30013

Jack N Zaharopoulos  
Standing Chapter 13  
(Trustee)  
8125 Adams Drive, Suite A  
Hummelstown, PA 17036

End of Label Matrix	
Mailable recipients	16
Bypassed recipients	0
Total	16